

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable Nickolas J. Dibiaso, Acting Presiding Justice; Honorable Steven M. Vartabedian, Associate Justice; Honorable Herbert I. Levy, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Yolanda I. Grigsby, Deputy Clerk.

F031108 People v. Halston et al.

Cause called and argued by Richard Doctoroff, Esq., counsel for appellant James Halston and by Christine Levin, Esq., Deputy Attorney General, counsel for respondent. Joseph T. Tavano, Esq., counsel for appellant James E. Mc Donald waived oral argument.

Cause ordered submitted.

Court recessed until Thursday, December 14, 2000 at 1:30 P.M.

The court reconvened in its courtroom at 1:30 P.M. Present: Honorable Nickolas J. Dibiaso, Acting Presiding Justice; Honorable Steven M. Vartabedian, Associate Justice; Honorable Herbert I. Levy, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Diana Monopoli, Deputy Clerk.

F031951 County of Stanislaus v. Edson

Cause called and argued by M. J. Hamilton, Esq., Deputy Attorney General, counsel for appellant and by Michael Halley, Esq., counsel for respondent.

Cause ordered submitted.

At this point Dibiaso, Acting P.J. directs Vartabedian, J. to act as Presiding Justice in his absence, leaves the bench and is replaced by Buckley, J.

F031010 People v. Savage et al.

F031074

Cause called and argued by Phillip M. Brooks, Esq., counsel for appellant Kelly Savage. Kim Malcheski, Esq., counsel for appellant Mark Savage waived oral argument. Lloyd G. Carter, Esq., Deputy Attorney General, counsel for respondent waived oral argument.

Cause ordered submitted.

IN THE
Court of Appeal of the State of California

IN AND FOR THE
Fifth Appellate District

At this point Vartabedian, Acting P.J. directs Thaxter, J. to act as Presiding Justice in his absence and leaves the bench with Levy, J.; they are replaced by Thaxter, Acting P.J. and Harris, J.

F036834 Dreiling v. The Superior Court of Fresno County; The People
Cause called and argued by Garrick Byers, Esq., Deputy Public Defender, counsel for petitioner and by Wesley J. Merritt, Esq., Deputy County Counsel, counsel for respondent. Kelly E. Lebel, Esq., Deputy Attorney General, counsel for real party waived oral argument.

Cause ordered submitted.

Court recessed until Wednesday, December 20, 2000 at 9:00 A.M.

F031801 People v. Tapia
The judgment is ordered modified to reflect conviction of a violation of section 245, subdivision (a)(2) for the reasons stated herein. Accordingly, the sentence is vacated and the matter is remanded for resentencing . In all other respects the judgment is affirmed. Ardaiz, P.J.

We concur: Dibiaso, J.; Buckley, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F034240 People v. Paramo
Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F034320 People v. Smallwood
Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

F034136 In re Anthony T., a Minor

The case is remanded to the juvenile court to allow the court to declare its status as a felony or misdemeanor and to make other modifications as required, if the case is determined to be a misdemeanor. In all other respects, the judgment is affirmed.
Buckley, J.

We concur: Dibiaso, Acting P.J.; Vartabedian, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F032243 Cannon v. Jaffe

Judgment affirmed. Costs to respondent. Thaxter, Acting P.J.

We concur: Buckley, J.; Wiseman, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F034659 In re James B. Masoner on Habeas Corpus

The order to show cause is discharged and the petition for a writ of habeas corpus is denied. Thaxter, Acting P.J.

We concur: Harris, J.; Buckley, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F031754 People v. Flores

F033487 In re Gabriel Flores on Habeas Corpus

Appellant's petition for rehearing filed herein is denied.

F036737 Irma R. v. Superior Court of Tulare County; Tulare County Health and Human Services Agency

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

IN THE
Court of Appeal of the State of California

IN AND FOR THE
Fifth Appellate District

- F034218** **People v. Diaz**
The judgment is affirmed. Ardaiz, P.J.
We concur: Thaxter, J.; Harris, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F032725** **People v. Calderon**
The judgment is affirmed. Buckley, J.
We concur: Vartabedian, Acting P.J.; Levy, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F032567** **People v. Carmona**
The judgment is affirmed. Buckley, J.
We concur: Vartabedian, Acting P.J.; Levy, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]